

**Sterne Kessler
Goldstein Fox**

ATTORNEYS AT LAW



Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Horner
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr
Michael V. Messinger
Judith U. Kim

Patrick E. Garrett
Jeffrey T. Helvey
Heidi L. Kraus
Eldora L. Ellison
Thomas C. Fiala
Donald R. Banowitz
Peter A. Jackman
Jeffrey S. Weaver
Brian J. Del Buono
Edward W. Yee
Vincent L. Capuano
Virgil Lee Beaton
Theodore A. Wood
Elizabeth J. Haanes
Joseph S. Ostroff
Frank R. Cottingham
Rae Lynn P. Guest
Daniel A. Klein

Jason D. Eisenberg
Michael D. Specht
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon
Laura A. Vogel
Bryan S. Wade
Bashir M.S. Ali
Shannon A. Carroll
Matthew E. Kelley
Michelle K. Holoubek
Marsha A. Rose

Christopher J. Walsh
W. Blake Coblenz*
James J. Pohl*
Young Tang
John T. Haran*
Mark W. Rygiel

Registered Patent Agents*

Karen R. Markowicz
Matthew J. Dowd
Katrina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Victoria S. Rutherford
Simon J. Elliott
Julie A. Heider
Mita Mukherjee
Scott M. Woodhouse

Liliana Di Nola-Baron
Peter A. Socarras
Jeffrey K. Mills
Danielle L. Letting
Lori Brandes

Of Counsel

Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie

*Admitted only in Maryland

*Admitted only in Virginia

*Practice Limited to
Federal Agencies

April 27, 2006

WRITER'S DIRECT NUMBER:

(202) 772-8560

INTERNET ADDRESS:

RESMOND@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Art Unit 1642

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/826,923; Filed: April 19, 2004
For: **Methods of Treating Diseases Responsive to Induction of Apoptosis
and Screening Assays**
Inventors: Kasibhatla *et al.*
Our Ref: 1735.0870001/RWE/BSA

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply to Restriction Requirement and Requirement for Election of Species; and
2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

RWE/BSA/nef
Enclosures

525274_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kasibhatla *et al.*

Appl. No.: 10/826,923

Filed: April 19, 2004

For: **Methods of Treating Diseases
Responsive to Induction of
Apoptosis and Screening Assays**

Confirmation No.: 1333

Art Unit: 1642

Examiner: Fetterolf, Brandon J.

Atty. Docket: 1735.0870001/RWE/BSA

Reply to Restriction Requirement and Requirement for Election of Species

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated April 7, 2006, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect with traverse to prosecute the invention of Group I, represented by claims 1-9. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

The Examiner also required an election of a single species for prosecution on the merits. Applicants hereby elect breast carcinomas for prosecution on the merits. Claims 1-4 and 6-9 read on such species.


Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is believed that extensions of time are not required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application,

then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert W. Esmond
Attorney for Applicants
Registration No. 32,893

Date: April 27, 2006

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
524465_1.DOC